

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Keith Eugene Washington,

Civ. No. 08-135 (MJD/JJK)

Petitioner,

v.

Jessica Benson, Warden,

ORDER

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated March 12, 2009. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Petitioner's Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus (Doc. No. 1), is **DENIED**; and

2. This action is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: April 6th, 2009

s/Michael J. Davis
CHIEF JUDGE MICHAEL J. DAVIS
United States District Judge